UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,541	11/02/2001	Victor Lu	3561-102	6064

20575 7590 05/18/2007

MARGER JOHNSON & MCCOLLOM, P.C.
210 SW MORRISON STREET, SUITE 400
PORTLAND, OR 97204

EXAMINER	
SERRAO, RANODHI N	
ART UNIT	**PAPER NUMBER**
2141	

MAIL DATE	DELIVERY MODE
05/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/053,541	LU ET AL.	
	Examiner	Art Unit	
	Ranodhi Serrao	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 March 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 14-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 14-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see remarks, filed 27 March 2007, with respect to the rejection(s) of claim(s) 1-8 under 35 U.S.C. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art reference(s). See below rejections.

Claim Rejections - 35 USC § 103

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ludewig et al. (6,327,609) and Capps et al. (6,735,691). Ludewig et al. teaches a method for tracking and reporting traffic activity on a web site (see Ludewig et al., col. 2, lines 1-13)

comprising the steps of: storing a web page on a first server coupled to a wide area network, said web page having web page code including a cookie processing script; uploading the web page to a visitor computer responsive to a request over the wide area network from the visitor computer; and. operating the cookie processing script at the visitor computer on the web browsing data to obtain new cookie values; and storing the new cookie on the visitor computer including the new cookie values (see Ludewig et al., col. 5, lines 8-51). But fails to teach data mining code and operating the data mining code on the visitor computer to obtain web browsing data. However, Capps et al. teaches data mining code and operating the data mining code on the visitor computer to obtain web browsing data (see Capps et al., col. 7, line 58-col. 8, line 15). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ludewig et al. to data mining code and operating the data mining code on the visitor computer to obtain web browsing data in order to automatically configure a computer system with the configuration information of another computer (see Capps et al., col. 1, lines 7-10).

5. Claims 2 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Capps et al. and Ludewig et al. as applied to claim 1 above, and further in view of Pogue et al. (6,112,240).

6. As per claim 2, Capps et al. and Ludewig et al. teach the mentioned limitations of claim 1 above but fail to teach a method, further comprising the step of receiving the new cookie values at a second server. However, Pogue et al. teaches a method, further

comprising the step of receiving the new cookie values at a second server (see Pogue et al., col. 8, lines 52-59). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Capps et al. and Ludewig et al. to a method, further comprising the step of receiving the new cookie values at a second server in order to obtain client information relating to a web page in a World Wide Web site by utilizing a tracker tag in the code of the web page for initiating a client information tracking program (see Pogue et al., col. 2, lines 12-26).

7. As per claims 6-8, the above-mentioned motivation of claim 2 applies fully in order to combine Capps et al., Pogue et al., and Ludewig et al.

8. As per claim 6, Capps et al., Pogue et al., and Ludewig et al. teach a method, wherein the step of generating a new cookie includes the step of operating the cookie processing script on an old cookie associated with the web page and previously stored on the visitor computer (see Pogue et al., col. 7, lines 11-22).

9. As per claim 7, Capps et al., Pogue et al., and Ludewig et al. teach a method, further including the step of overwriting the old cookie with the new cookie (see Pogue et al., col. 7, lines 11-22).

10. As per claim 8, Capps et al., Pogue et al., and Ludewig et al. teach a method, further including the steps of: detecting that an old cookie exists on the visitor computer associated with the web site; tracking events on the visitor computer; processing the old cookie using cookie processing code in view of the tracked events to obtain new cookie values; and replacing the old cookie values with the new cookie values (see Pogue et al., col. 6, line 52-col. 7, line 22).

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Capps et al., Pogue et al., and Ludewig et al. as applied to claims 1 and 2 above, and further in view of Davis et al. (2002/0040395). Capps et al., Pogue et al., and Ludewig et al. teach the mentioned limitations of claims 1 and 2 above but fail to teach a method, further including the steps of: attaching the new cookie values to an image request associated with a designated URL source; and sending the image request to the URL source. However, Davis et al. teaches a method, further including the steps of: attaching the new cookie values to an image request associated with a designated URL source; and sending the image request to the URL source (see Davis et al., ¶ 46). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Capps et al., Pogue et al., and Ludewig et al. to a method, further including the steps of: attaching the new cookie values to an image request associated with a designated URL source; and sending the image request to the URL source in order to track the use and interaction of a user with a resource downloaded from a server on a network by use of a tracking program embedded in the resource and executable by a client (see Davis et al., ¶ 13).

12. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Capps et al., Ludewig et al., Pogue et al., and Davis et al. as applied to claims 1-3 above, and further in view of Shrader et al. (6,374,359). Capps et al., Ludewig et al., Pogue et al., and Davis et al. teach the mentioned limitations of claims 1-3 above but fail to teach a

method, further including the step of decoding the new cookie values to obtain the web browsing data. However, Shrader et al. teaches a method, further including the step of decoding the new cookie values to obtain the web browsing data (see Shrader et al., col. 2, lines 45-64). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Capps et al., Ludewig et al., Pogue et al., and Davis et al. to a method, further including the step of decoding the new cookie values to obtain the web browsing data in order to provide an architecture for the dynamic use and validation of HTTP cookies for authentication by an application running on a web server (see Shrader et al., col. 1, lines 62-65).

13. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Capps et al., Pogue et al., Davis et al., and Ludewig et al. Capps et al., Pogue et al., Davis et al., and Ludewig et al. teach a method, further including the steps of: compiling the web browsing data into a web page traffic report; and posting the report for viewing over the wide area network (see Pogue et al., col. 4, lines 30-60).

14. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharat (6,810,395) and de l'Etraz et al. (6,073,138).

15. As per claim 14, Bharat teaches a method for analyzing activity on a web page of a web site (see Bharat, col. 4, lines 50-64) comprising the steps of: embedding cookie processing script within a web page (see Bharat, col. 9, line 60-col. 10, line 7); sending the web page to a client node (see Bharat, col. 9, lines 27-41); operating the cookie

processing script on the client node (see Bharat, col. 6, lines 41-50); and returning data resulting from the operation steps (see Bharat, col. 10, lines 27-32). But fails to teach a method of embedding data mining script within a web page; operating the data mining script on the client node. However, de l'Etraz et al. teaches a method of embedding data mining script within a web page (see de l'Etraz et al., col. 5, line 64-col. 6, line 6); operating the data mining script on the client node (see de l'Etraz et al., col. 6, lines 44-65). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Bharat to a method of embedding data mining script within a web page; operating the data mining script on the client node in order to allow proprietary individual contact data to be merged with accurate and up-to-date public information in order to explore the full scope (or sphere) of an individual's or business concern's scope of influence (see de l'Etraz et al., abstract).

16. As per claim 15, Bharat and de l'Etraz et al. teach a method, wherein the step of operating the cookie processing script on the client node includes: reading a cookie value from the client node (see Bharat, col. 3, lines 5-15); tracking events on the client node (see Bharat, col. 9, line 60-col. 10, line 7); processing cookie value based on the tracked events to obtain a new cookie value; and writing a new cookie value to the client node (see Bharat, col. 9, line 60-col. 10, line 19).

17. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharat and de l'Etraz et al. as applied to claim 14 above, and further in view of Pogue et al. (6,112,240).

18. As per claim 16, Bharat and de l'Etraz et al. teach the mentioned limitations of claim 14 above but fail to teach a method, wherein the step of returning data includes the steps of: embedding data within an image request associated with a designated URL source; and sending the image request to the URL source. However, Pogue et al. teaches a method, wherein the step of returning data includes the steps of: embedding data within an image request associated with a designated URL source; and sending the image request to the URL source (see Pogue et al., col. 7, lines 11-22). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Bharat and de l'Etraz to a method, wherein the step of returning data includes the steps of: embedding data within an image request associated with a designated URL source; and sending the image request to the URL source in order to ascertained if the web browser 302 is still on, to records the time of each web page access, and also to obtain other information regarding the client computer (see Pogue et al., col. 5, lines 55-67).

19. As per claim 17, the above-mentioned motivation of claim 16 applies fully in order to combine Bharat, de l'Etraz et al., and Pogue et al. Bharat, Pogue et al., and de l'Etraz et al. teach a method, further including the steps of: compiling the web browsing data into a web page traffic report; and posting the report for viewing over the wide area network (see Pogue et al., col. 4, lines 30-60).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571) 272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER